THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.14832 of 2007

Dated: 16-07-2007

Between:

Poduri Rama Krishna.

..... PETITIONER

AND

The Nelamuru Gram Panchayat, West Godavari District.

.....RESPONDENT

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.14832 of 2007

ORDER:

The respondent Gram Panchayat issued a tender notice dated 01.04.2007 calling tenders for supply of manpower for PWS watchman post for supply of drinking water for the period from 01.04.2007 to 31.03.2008. The petitioner submitted tender quoting Rs.750/- per month. The same was allegedly accepted by the respondent Gram Panchayat vide order dated 13.04.2007, but work order was not issued. Therefore, the petitioner filed instant writ petition seeking a writ of Mandamus directing the respondent Gram Panchayat to allot work to him pursuant to the order dated 13.04.2007.

After hearing the learned counsel for the petitioner, the learned standing counsel for the respondent Gram Panchayat and perusing the order of the Panchayat Secretary dated 13.04.2007, this Court is of the opinion that a writ petition with the prayer as above is not maintainable. The petitioner is seeking specific performance of a contract, which is still in the formative stage. He has not produced any resolution of the respondent Gram Panchayat accepting the tender or work order authorizing him to commence the work. In such a case, his remedy is only to approach Civil Court and seek specific performance of the contract.

The writ petition is misconceived and the same is accordingly dismissed. No costs.

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(**V.V.S.RAO, J**)

16th July, 2007
ghn